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October 22, 2024

**VIA ECF**

The Honorable Judge Dale E. Ho  
United States District Judge  
Southern District of New York  
40 Foley Square, Courtroom 905  
New York, NY 10007

Re: *Stanwich Mortgage Acquisition Company VIII, LLC v. Equity Prime Mortgage, LLC*, No. 24-cv-771 (DEH) – Joint Status Report

Dear Judge Ho:

This firm represents plaintiff Stanwich Mortgage Acquisition Company VIII, LLC (“Plaintiff”) in the above matter. Together with defendant and third-party plaintiff Equity Prime Mortgage, LLC (“Defendant”) and third-party defendants The Money Source, Inc. (“TMS”) and ServBank, Sb (together with TMS, “Third-Party Defendants,” and collectively with Plaintiff and Defendant, the “Parties”), we jointly submit this status letter pursuant to the Court’s *Amended Civil Case Management Plan and Scheduling Order*, dated August 6, 2024 (ECF No. 38, the “Scheduling Order”).

On October 16, 2024, the Parties jointly submitted a Letter Motion (EFF No. 41, annexed hereto as Exhibit A) requesting that the Court modify the Scheduling Order, including extending the deadline to complete fact discovery, and adjourn the case management conference currently scheduled for October 29, 2024. That request — the second request for an adjournment of the case schedule in this matter — remains pending.

As detailed in the Letter Motion, the Parties have been conferring regarding the claims in this matter and working to collect relevant documents responsive to requests in an effort to resolve this matter, in whole or in part. However, a number of document requests and interrogatories remain outstanding. To provide the Parties additional time to respond to outstanding discovery requests, continue settlement discussions, commence depositions, and determine whether to file a dispositive motion, the Parties filed the Letter Motion seeking to modify the case schedule. The

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Parties are not requesting a referral for settlement discussions to a Magistrate Judge or through the District's Mediation Program at this time.

The Parties thank the Court for its time.

Respectfully submitted,

/s/ Jill L. Forster

Jill L. Forster

cc : All Counsel of Record (via ECF)